



GAU 3751

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ciotic, Egor)
Serial No: 09/715,456)
Filed: 11/17/00)
For: Portable Venting Commode)

Group No.: 3751
Examiner: Eloshway, R

#3
5-5-01

RECEIVED

Commissioner of Patents and Trademarks
Washington, DC 20231

MAY 4 - 2001

TECHNOLOGY CENTER R3700

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Risto A. Rinne, Jr.
(Name of person mailing paper)

Date: April 27, 2001

[Signature] 4-27-01
(Signature of person mailing paper) Reg. 37,055

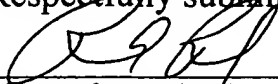
ELECTION OF SPECIES

Responsive to the Office Action paper number 1, dated 4/17/01, the species elected is made with traverse and is "species I" and is shown in drawings **1 and 2**. The claims for consideration include generic base claim 1 and dependent claims 2-10 and 12-14. These claims, it is believed, appertain to the species elected which is Species I.

Traverse is made in that the Examiner has suggested that FIGURE 3 appertains to a patentably distinct species, and has called this species "Species II". No support or explanation for this assertion is provided by the Examiner. The undersigned avers that FIGURE 3 is but another view of FIGURE 2. This is shown in FIGURE 2 (lines 3-3) and it is also stated in the "Brief Description of the Drawings" on page 8, wherein it is stated that, "FIG. 3 is a view as shown in FIG. 2 as seen along the lines 3-3 therein." If FIG. 3 is but another view of FIG. 2 it is believed to be impossible to consider it or any of its content as a separate species that is distinct from that shown in FIG.s 1 and 2. Accordingly, consideration of the elements as shown in FIG. 3 and as identified as Species II is requested to be included as part of the species I presently elected because it is believed to be part of the (same) election that is made herein.

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Respectfully submitted,

 9-27-01
(Signature of Attorney/agent)

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